

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WISCONSIN

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In Re: Nadira Shelly Jariwala  
Debtor

CASE NO: 16-14009-CJF-13

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**STIPULATION RESOLVING MOTION FOR RELIEF FROM  
AUTOMATIC STAY AND CO-DEBTOR STAY**

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As a resolution of the Motion for Relief from Automatic Stay and Co-Debtor Stay filed by Nationstar Mortgage LLC, its successors, servicing agents, and/or assigns (herein referred to as "Nationstar Mortgage LLC") in the above referenced case regarding the property owned by the Debtor and Mehul R. Jariwala (Co-Debtor) located at 5433 Hazelcrest Drive, Madison, WI 53704; Nadira Shelly Jariwala (herein referred to as "Debtor") and Nationstar Mortgage LLC, by their respective attorneys, hereby agree and Stipulate as follows:

1. The Motion for Relief from Automatic Stay and Co-Debtor Stay filed by Nationstar Mortgage LLC is denied.
2. The Debtor agrees to pay Nationstar Mortgage LLC for the post-petition arrears that total the amount of \$2,778.32, less suspense balance of \$237.21, totaling \$2,541.11 for the period July 2018 through and including August 2018.
3. The Debtor also agrees to pay Nationstar Mortgage LLC the amount of \$1,031.00 to be applied towards the Court approved fees and costs of filing & resolving its Motion.
4. The parties agree that the remaining above referenced arrears, and fees and costs all totaling \$3,572.11 shall be put into a Supplemental Proof of Claim to be filed by Nationstar Mortgage LLC. The Debtor shall modify/amend the Plan and/or adjust the monthly Plan payments as is necessary to fund this claim.
5. Beginning September 2018, the Debtor shall directly pay to Nationstar Mortgage LLC the

regular monthly mortgage payments. Currently the amounts of said payments are \$1,389.16. Said payment amount may be adjusted periodically according to the terms of the Adjustable Rate Note and/or as needed to fund the escrow account. Each monthly payment is due on or before the 1<sup>st</sup> day of the month and must be received by Nationstar Mortgage LLC, PO Box 619094, Dallas, TX 75261-9741 no later than the 16<sup>th</sup> day of each month so as to be considered timely. The account #XXXXXX5382 shall be included on each payment so as to be applied to the correct account.

6. The parties have agreed to provide Nationstar Mortgage LLC, its successors or assigns, a 9 month Doomsday provision on the regular monthly mortgage payments beginning with the September 2018 payment and continuing through and including April 2019. Should the Debtor fail to timely remit any of said payments, or should any of said payments be returned for insufficient funds, Nationstar Mortgage LLC, its successors or assigns, shall have the right to file an Affidavit and proposed order with the Court requesting an immediate Order thereby granting the relief requested in its Motion.
7. Thereafter, the parties have agreed to allow Nationstar Mortgage LLC, its successors or assigns, the right to renew its Motion via letter to the Court beginning with May 2019 and continuing for the remainder of the Plan.

8. Should Nationstar Mortgage LLC be granted the relief it requested in its Motion due to a breach of the terms of this Stipulation, any resultant Order for Relief from the Automatic Stay and Abandonment shall take effect immediately upon its entry.

Dated this 3<sup>rd</sup> day of August, 2018



Attorney Mark A. Gauthier  
Atty. for Debtor

Dated this 3<sup>rd</sup> day of August, 2018



Atty. Riad El-Azem  
Atty. for Nationstar Mortgage LLC

No Objection:

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Mark Herring, Trustee

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8. Should Nationstar Mortgage LLC be granted the relief it requested in its Motion due to a breach of the terms of this Stipulation, any resultant Order for Relief from the Automatic Stay and Abandonment shall take effect immediately upon its entry.

Dated this \_\_\_\_ day of August, 2018

Dated this \_\_\_\_ day of August, 2018

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Attorney Mark A. Gauthier  
Atty. for Debtor

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Atty. Riad El-Azem  
Atty. for Nationstar Mortgage LLC

No Objection:

*Leslie Mowhead*  
Mark Harring, Trustee

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